
Appeal Decisions

Site visit made on 25 June 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal A Ref: APP/V5570/W/23/3335579

Flat 12, 8 Northburgh Street, Islington, London EC1V 0AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by A & K Sydow against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2023/2646/FUL.
 - The development proposed is replacement and extension of penthouse roof providing integrated photovoltaic panels and additional living accommodation.
-

Appeal B Ref: APP/V5570/W/23/3335580

Flat 12, 8 Northburgh Street, Islington, London EC1V 0AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by A & K Sydow against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2023/2645/FUL.
 - The development proposed is replacement and extension of penthouse roof providing integrated photovoltaic panels and additional living accommodation; and installation of plant unit.
-

Decision Appeal A

1. The appeal is dismissed.

Decision Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. As set out above there are two appeals on this site. They differ only insofar as the roof setback that is proposed through appeal B. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issue

4. The main issue in respect of both appeals is the effect of the proposal on the character and appearance of the host building and Hat and Feathers Conservation Area.

Reasons (Appeal A and B)

5. The appeal building is six storeys with a mixed use of commercial at basement and ground floor level and residential above. The appeal proposals relate to an existing residential property located within the roof level of the building.
6. The appeal site is located within the Hat and Feathers Conservation Area (CA) which covers an area encompassing development from nine different centuries with a great variety of uses and this diversity contributes notably to the significance of the CA. Buildings within the CA are generally tightly-built and small scale with many being between three and five storeys high. The appeal property's Victorian, former warehouse design contributes positively to the significance of the CA, however it is noted that the building is taller than most within the CA and the existing roof extension design is generally not in keeping with the CA.
7. With each appeal the proposed development would be of a scale that occupies most of the roof, increasing its height and overall bulk. I note the sloped design proposed that would fall behind the existing parapet line, however, its siting close to the eaves combined with the increase in height that wraps around the roof would make the proposal a visible and noticeable addition from street level, particularly from Dallington Street and Pardon Street. While I acknowledge that some nearby streets are narrow and limit some views, they are generally long which still allow views that are more than fleeting. The glazed, sloped design and appeal buildings corner position would also attract prominence that would be visible from streets close to the site.
8. I note that there are other roof extensions in the vicinity and the appellant wishes to improve the existing irregular shaped extension. However, while more uniform, the appeal proposal would dominate much more of the roof and therefore stand out due to its design, height, scale and overall bulk, which would result in an incongruous and discordant feature on the host building.
9. In respect of Appeal B, a 1m setback is proposed from the rear elevation. However, while this would slightly reduce the overall scale of the proposal, it would not affect the overall increase in height and bulk as outlined above.
10. I therefore conclude that the proposed development would harm the character and appearance of the host building and would fail to preserve the significance of the CA. Insofar as the harm to the host building, it would be contrary to Policies D3 and D4 of the London Plan 2021, Policies PLAN1 of the Islington Local Plan Strategic and Development Management Policies September 2023 (LP) and guidance contained within the Council's Urban Design Guide Supplementary Planning Document January 2017. Amongst other things, these seek to ensure that development delivers high design quality and makes a positive contribution to local character.

Other Matters

11. The Council have found that the proposals would not unacceptably harm the living conditions of neighbouring properties including overlooking, overshadowing and outlook. In this regard, while the proposal would be visible from the private realm, the Council have found no harm to outlook for which I have no reason to conclude differently. However, these are neutral matters that do not outweigh the harm I have identified.

Planning Balance

12. Paragraph 205 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset and that this should have a clear and convincing justification.
13. Given the scale of each of the proposed developments, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
14. The public benefits of the proposed developments would include some economic benefit through construction as well as environmental benefit through the use of energy saving features. However, these benefits are tempered as each proposal is only small in scale, and so the weight I afford it does not outweigh the great weight I afford to the conservation of the CA.
15. Given the above, I conclude that, on balance, the proposals would each fail to preserve the character or appearance of the CA, causing less than substantial harm to its significance, and no public benefits have been cited that outweigh this harm. This would conflict with the Framework and conflict with Policy HC1 of the London Plan, Policies DH1 and DH2 of the LP and guidance contained within the Council's Conservation Area Design Guidelines January 2002. Amongst other things, these seek to ensure that development proposals affecting heritage assets should conserve or enhance their significance.

Conclusion

16. For the reasons set out above, and having had regard to all other material considerations, I conclude that appeals A and B should be dismissed.

D Wilson

INSPECTOR